

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF ALABAMA  
EASTERN DIVISION**

<b>Patricia Gibson,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>C.A. No.: 3:06-CV-0974-MEF</b>
	)	
<b>WestPoint Stevens, Inc., and</b>	)	
<b>WestPoint Home, Inc.,</b>	)	
	)	
<b>Defendants.</b>	)	
_____	)	

**NOTICE OF FILING OF AFFIDAVITS**

COMES NOW the Defendants and files the attached affidavits authenticating the records of A-1 Employment, Kelly Services, First Choice Personnel, Inc., and AIC Operations, Inc.

Dated this 26<sup>th</sup> day of June, 2007.

Respectfully submitted,

By: s/Fred W. Suggs, Jr.  
Fred W. Suggs, Jr. (#SUG-001)

OGLETREE, DEAKINS, NASH,  
SMOAK & STEWART, P.C.  
300 North Main Street  
Post Office Box 2757  
Greenville, South Carolina 29602  
Telephone: (864) 271-1300  
Facsimile: (864) 235-4754  
E-Mail: [fred.suggs@odnss.com](mailto:fred.suggs@odnss.com)

James C. Pennington (#ASB-1287-N62J)  
OGLETREE, DEAKINS, NASH,  
SMOAK & STEWART, P.C.  
One Federal Place  
1819 5th Avenue North, Suite 1000  
Birmingham, Alabama 35203-2118  
Telephone: (205) 328-1900  
Facsimile: (205)328-6000  
E-Mail: james.pennington@odnss.com

**CERTIFICATE OF SERVICE**

*I certify that on the above date a copy of the foregoing was served on each party or counsel of record by ECF or mail in the manner prescribed by the applicable Rules of Civil Procedure.*

s/Fred W. Suggs, Jr.  
Fred W. Suggs, Jr.

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF ALABAMA  
EASTERN DIVISION

Patricia Gibson,

Plaintiff,

v.

WestPoint Stevens, Inc., and  
WestPoint Home, Inc.,

Defendant.

CIVIL ACTION NO.: 3:06-CV-0974-MEF

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AFFIDAVIT OF AUTHENTICITY

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COMES NOW Jerrie Nacrelli, (print name) who deposes and states as follows:

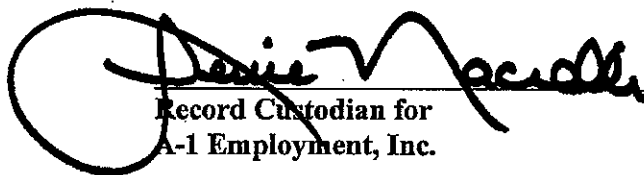
1. I am the record custodian for A-1 Employment, Inc. In my position, I am charged with keeping and maintaining those documents and records which A-1 Employment, Inc. creates or keeps in the ordinary course of business.
2. A-1 Employment, Inc. is a business operating within the State of Alabama.
3. I have personal knowledge of the following facts.
4. On or about 5-23, 2007, A-1 Employment, Inc. was served with a Subpoena attached as Exhibit A.
5. I had the responsibility of collecting and producing documents in response to the subpoena.
6. In response to the subpoena, I did in fact review the files and records of A-1 Employment, Inc., collected those records related to Patricia J. Gibson, a/k/a Patricia Jones, Patricia

Barrow and/or Patricia Varner that were responsive to the subpoena, and copied the same.

7. I hereby certify that the documents attached hereto are genuine, accurate, and complete copies of the documents copied by me for A-1 Employment, Inc. in response to the attached subpoena.
8. I further certify that the records attached hereto were created by A-1 Employment, Inc., transmitted to or from A-1 Employment, Inc., and that it is in the regularly conducted business activity of A-1 Employment, Inc. to keep or store these records for business use.
9. I certify that as records custodian for A-1 Employment, Inc., I have the official capacity to verify the genuineness of documents produced from the files and records of A-1 Employment, Inc.

Further affiant sayeth naught.

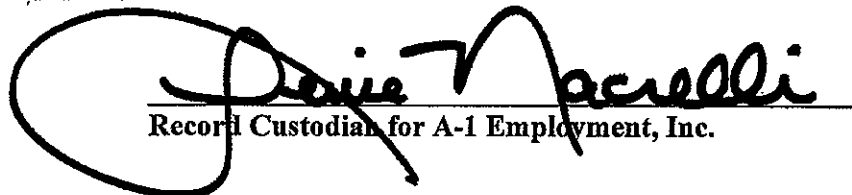
Date: 5-24-07

  
Record Custodian for  
A-1 Employment, Inc.

**DECLARATION PURSUANT TO 28 U.S.C. 1746**

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 5-24-, 2007.

  
Record Custodian for A-1 Employment, Inc.

4968548.1

AO 88 (Rev. 1/94) Subpoena in a Civil Case

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF ALABAMA  
EASTERN DIVISION

Patricia J. Gibson,

V.

SUBPOENA DUCES TECUM  
IN A CIVIL CASE

WestPoint Stevens, Inc. and  
WestPoint Home, Inc.,

CASE NUMBER: 3:06-CV-0974-MEF

TO: RECORD CUSTODIAN: A-1 Employment, Inc., 400 South 8<sup>th</sup> Steet, Suite 101, Opelika, AL 36801

☐ YOU ARE COMMANDED to appear in the United States District Court at the place, date, and time specified below to testify in the above case.

PLACE OF TESTIMONY

COURTROOM

DATE AND TIME

☐ YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION

DATE AND TIME

☒ YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below: Any and all records maintained in your custody pertaining to the EMPLOYMENT of Patricia J. Gibson, a/k/a Patricia Jones, Patricia Barrow and Patricia Varner, SS# , DOB including but not limited to applications for employment, resumes, pay records, leave forms, attendance records, disciplinary records, documents showing commendations or awards, performance appraisals, safety and health records, and health insurance records.

PLACE

Ogletree Deakins Nash Smoak & Stewart, P. C.  
One Federal Place, 1819 5<sup>th</sup> Avenue North, Suite 1000  
Birmingham, AL 35203-2118

DATE AND TIME

On or before Friday, June 8, 2007  
at 10:00 a. m.

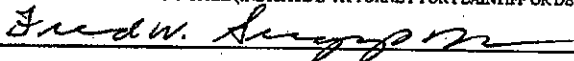
☐ YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES

DATE AND TIME

Any organization not a party to this suit that is subpoenaed for the taking of a deposition shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify. Federal Rules of Civil Procedure, 30(b)(6).

ISSUING OFFICER SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT)



DATE

May 21, 2007

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER

Fred W. Suggs, Jr. Attorney for Defendant  
Ogletree, Deakins, Nash, Smoak & Stewart, P. C.  
Post Office Box 2757, 300 North Main Street  
Greenville, SC 29602  
(864)271-1300

(See Rule 45, Federal Rules of Civil Procedure, Parts C &amp; D on Reverse)

EXHIBIT A

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF ALABAMA  
EASTERN DIVISION

Patricia Gibson,

Plaintiff,

v.

WestPoint Stevens, Inc., and  
WestPoint Home, Inc.,

Defendant.

CIVIL ACTION NO.: 3:06-CV-0974-MEF

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AFFIDAVIT OF AUTHENTICITY

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COMES NOW MIKE WIGFALL, (print name) who deposes and states as

follows:

1. I am the record custodian for Kelly Services. In my position, I am charged with keeping and maintaining those documents and records which Kelly Services creates or keeps in the ordinary course of business.
2. Kelly Services is a business operating within the State of Alabama.
3. I have personal knowledge of the following facts.
4. On or about 5/29, 2007, Kelly Services was served with a Subpoena attached as Exhibit A.
5. I had the responsibility of collecting and producing documents in response to the subpoena.
6. In response to the subpoena, I did in fact review the files and records of Kelly Services, collected those records related to Patricia J. Gibson, a/k/a Patricia Jones, Patricia Barrow

and/or Patricia Varner that were responsive to the subpoena, and copied the same.

7. I hereby certify that the documents attached hereto are genuine, accurate, and complete copies of the documents copied by me for Kelly Services in response to the attached subpoena.
8. I further certify that the records attached hereto were created by Kelly Services, transmitted to or from Kelly Services, and that it is in the regularly conducted business activity of Kelly Services to keep or store these records for business use.
9. I certify that as records custodian for Kelly Services, I have the official capacity to verify the genuineness of documents produced from the files and records of Kelly Services.

Further affiant sayeth naught.

Date: 5-29-2007

Michael Wigfall  
Record Custodian for  
Kelly Services

**DECLARATION PURSUANT TO 28 U.S.C. 1746**

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 5-29-, 2007.

Michael Wigfall  
Record Custodian for Kelly Services

4968548.1

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF ALABAMA  
EASTERN DIVISION

Patricia J. Gibson,

V.

**SUBPOENA DUCES TECUM  
IN A CIVIL CASE**

WestPoint Stevens, Inc. and  
WestPoint Home, Inc.,

CASE NUMBER: 3:06-CV-0974-MEF

TO: RECORD CUSTODIAN: Kelly Services, 2200 Gateway Drive, Suite C, Opelika, AL 36801

☐ YOU ARE COMMANDED to appear in the United States District Court at the place, date, and time specified below to testify in the above case.

PLACE OF TESTIMONY

COURTROOM

DATE AND TIME

☐ YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION

DATE AND TIME

☒ YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below: Any and all records maintained in your custody pertaining to the EMPLOYMENT of Patricia J. Gibson, a/k/a Patricia Jones, Patricia Barrow and Patricia Varner, SS#

**DOB** including but not limited to applications for employment, resumes, pay records, leave forms, attendance records, disciplinary records, documents showing commendations or awards, performance appraisals, safety and health records, and health insurance records.

PLACE

Ogletree Deakins Nash Smoak & Stewart, P. C.  
One Federal Place, 1819 5<sup>th</sup> Avenue North, Suite 1000  
Birmingham, AL 35203-2118

DATE AND TIME

On or before Friday, June 8, 2007  
at 10:00 a. m.

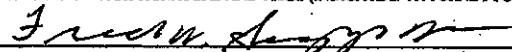
☐ YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES

DATE AND TIME

Any organization not a party to this suit that is subpoenaed for the taking of a deposition shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify. Federal Rules of Civil Procedure, 30(b)(6).

ISSUING OFFICER SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT)



DATE

May 21, 2007

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER

Fred W. Suggs, Jr. Attorney for Defendant  
Ogletree, Deakins, Nash, Smoak & Stewart, P. C.  
Post Office Box 2757, 300 North Main Street  
Greenville, SC 29602  
(864)271-1300

(See Rule 45, Federal Rules of Civil Procedure, Parts C &amp; D on Reverse)

EXHIBIT A



**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF ALABAMA  
EASTERN DIVISION**

**Patricia Gibson,**

**Plaintiff,**

**V.**

**WestPoint Stevens, Inc., and  
WestPoint Home, Inc.,**

**Defendant.**

**CIVIL ACTION NO.: 3:06-CV-0974-MEF**

## AFFIDAVIT OF AUTHENTICITY

COMES NOW Melissa Tyler, (print name) who deposes and states as

follows:

1. I am the record custodian for First Choice Personnel, Inc. In my position, I am charged with keeping and maintaining those documents and records which First Choice Personnel, Inc. creates or keeps in the ordinary course of business.
2. First Choice Personnel, Inc. is a business operating within the State of Alabama.
3. I have personal knowledge of the following facts.
4. On or about 5/21, 2007, First Choice Personnel, Inc. was served with a Subpoena attached as Exhibit A.
5. I had the responsibility of collecting and producing documents in response to the subpoena.
6. In response to the subpoena, I did in fact review the files and records of First Choice Personnel, Inc., collected those records related to Patricia J. Gibson, a/k/a Patricia Jones.

Patricia Barrow and/or Patricia Varner that were responsive to the subpoena, and copied the same.

7. I hereby certify that the documents attached hereto are genuine, accurate, and complete copies of the documents copied by me for First Choice Personnel, Inc. in response to the attached subpoena.
8. I further certify that the records attached hereto were created by First Choice Personnel, Inc., transmitted to or from First Choice Personnel, Inc., and that it is in the regularly conducted business activity of First Choice Personnel, Inc. to keep or store these records for business use.
9. I certify that as records custodian for First Choice Personnel, Inc., I have the official capacity to verify the genuineness of documents produced from the files and records of First Choice Personnel, Inc.

Further affiant sayeth naught.

Date: June 1, 2007

Melissa J. Taylor  
Record Custodian for  
First Choice Personnel, Inc.

**DECLARATION PURSUANT TO 28 U.S.C. 1746**

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 1, 2007.

Melissa J. Taylor  
Record Custodian for First Choice Personnel, Inc.

4967316.1

AO 88 (Rev. 1/94) Subpoena in a Civil Case

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF ALABAMA  
EASTERN DIVISION

Patricia J. Gibson,

V.

**SUBPOENA DUCES TECUM  
IN A CIVIL CASE**

WestPoint Stevens, Inc. and  
WestPoint Home, Inc.,

CASE NUMBER: 3:06-CV-0974-MEF

TO: RECORD CUSTODIAN: First Choice Personnel, Inc., 128 South 8th Street, Opelika, Alabama 36801

☐ YOU ARE COMMANDED to appear in the United States District Court at the place, date, and time specified below to testify in the above case.

PLACE OF TESTIMONY

COURTROOM

DATE AND TIME

☐ YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION

DATE AND TIME

☒ YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below: Any and all records maintained in your custody pertaining to the EMPLOYMENT of Patricia J. Gibson, a/k/a Patricia Jones, Patricia Barrow and Patricia Varner, SS# **DOB** including but not limited to applications for employment, resumes, pay records, leave forms, attendance records, disciplinary records, documents showing commendations or awards, performance appraisals, safety and health records, and health insurance records.

PLACE

Ogletree Deakins Nash Smoak & Stewart, P. C.  
One Federal Place, 1819 5<sup>th</sup> Avenue North, Suite 1000  
Birmingham, AL 35203-2118

DATE AND TIME

On or before Monday, June 4, 2007  
at 10:00 a. m.

☐ YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES

DATE AND TIME

Any organization not a party to this suit that is subpoenaed for the taking of a deposition shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify. Federal Rules of Civil Procedure, 30(b)(6).

ISSUING OFFICER SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT)

*Fred W. Suggs, Jr.*

DATE

May 18, 2007

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER

Fred W. Suggs, Jr. Attorney for Defendant  
Ogletree, Deakins, Nash, Smoak & Stewart, P. C.  
Post Office Box 2757, 300 North Main Street  
Greenville, SC 29602  
(864)271-1300

(See Rule 45, Federal Rules of Civil Procedure, Parts C &amp; D on Reverse)

EXHIBIT A

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF ALABAMA  
EASTERN DIVISION**

**Patricia Gibson,**

**Plaintiff,**

V.

**WestPoint Stevens, Inc., and  
WestPoint Home, Inc.,**

**Defendant.**

**CIVIL ACTION NO.: 3:06-CV-0974-MEF**

## AFFIDAVIT OF AUTHENTICITY

COMES NOW Lisa S. Shaw, (print name) who deposes and states as follows:

1. I am the record custodian for AIC Operations, Inc. In my position, I am charged with keeping and maintaining those documents and records which AIC Operations, Inc. creates or keeps in the ordinary course of business.
2. AIC Operations, Inc. is a business operating within the State of Alabama.
3. I have personal knowledge of the following facts.
4. On or about May, 2007, AIC Operations, Inc. was served with a Subpoena attached as Exhibit A.
5. I had the responsibility of collecting and producing documents in response to the subpoena.
6. In response to the subpoena, I did in fact review the files and records of AIC Operations, Inc., collected those records related to Patricia J. Gibson, a/k/a Patricia Jones, Patricia Barrow

and/or Patricia Varner that were responsive to the subpoena, and copied the same.

7. I hereby certify that the documents attached hereto are genuine, accurate, and complete copies of the documents copied by me for AIC Operations, Inc. in response to the attached subpoena.
8. I further certify that the records attached hereto were created by AIC Operations, Inc., transmitted to or from AIC Operations, Inc., and that it is in the regularly conducted business activity of AIC Operations, Inc. to keep or store these records for business use.
9. I certify that as records custodian for AIC Operations, Inc., I have the official capacity to verify the genuineness of documents produced from the files and records of AIC Operations, Inc.

Further affiant sayeth naught.

Date: 6/4/07

Lisa S. Shaw  
Record Custodian for  
AIC Operations, Inc.

**DECLARATION PURSUANT TO 28 U.S.C. 1746**

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 6/4, 2007.

Lisa S. Shaw  
Record Custodian for AIC Operations, Inc.

4750587.1

AO 88 (Rev. 1/94) Subpoena in a Civil Case

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF ALABAMA  
EASTERN DIVISION**

Patricia J. Gibson,

V.

**SUBPOENA DUCES TECUM  
IN A CIVIL CASE**

WestPoint Stevens, Inc. and  
WestPoint Home, Inc.,

CASE NUMBER: 3:06-CV-0974-MEF

TO: RECORD CUSTODIAN: AIC Operations, Inc., 155 Alabama Street, Auburn, Alabama 36830

☐ YOU ARE COMMANDED to appear in the United States District Court at the place, date, and time specified below to testify in the above case.

PLACE OF TESTIMONY	COURTROOM
	DATE AND TIME

☐ YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION	DATE AND TIME
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☒ YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below: Any and all records maintained in your custody pertaining to the EMPLOYMENT of Patricia J. Gibson, a/k/a Patricia Jones, Patricia Barrow and Patricia Varner, SS#

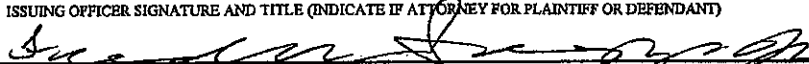
**DOB**, including but not limited to applications for employment, resumes, pay records, leave forms, attendance records, disciplinary records, documents showing commendations or awards, performance appraisals, safety and health records, and health insurance records.

PLACE <b>Ogletree Deakins Nash Smoak &amp; Stewart, P. C.</b> <b>One Federal Place, 1819 5<sup>th</sup> Avenue North, Suite 1000</b> <b>Birmingham, AL 35203-2118</b>	DATE AND TIME <b>On or before Monday, June 4, 2007</b> <b>at 10:00 a. m.</b>
--	--

☐ YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES	DATE AND TIME
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Any organization not a party to this suit that is subpoenaed for the taking of a deposition shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify. Federal Rules of Civil Procedure, 30(b)(6).

ISSUING OFFICER SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT) 	DATE May 18, 2007
--	----------------------

ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER  
 Fred W. Suggs, Jr. Attorney for Defendant  
 Ogletree, Deakins, Nash, Smoak & Stewart, P. C.  
 Post Office Box 2757, 300 North Main Street  
 Greenville, SC 29602  
 (864)271-1300

(See Rule 45, Federal Rules of Civil Procedure, Parts C & D on Reverse)

**EXHIBIT A**